

## **9 FAM 42.67 NOTES**

*(CT:VISA-722; 03-10-2005)*  
*(Office of Origin: CA/VO/L/R)*

### **9 FAM 42.67 N1 REGISTRATION FOR IMMIGRANT VISA**

*(TL:VISA-539; 05-19-2003)*

An applicant shall be considered registered for immigration to the United States upon the execution of the Form DS-230, Application for Immigrant Visa and Alien Registration, and the payment of the prescribed fee.

### **9 FAM 42.67 N2 ISSUANCE FEE**

*(TL:VISA-285; 05-17-2001)*

See 9 FAM 42.71 Notes.

### **9 FAM 42.67 N3 ISSUANCE FEE**

*(TL:VISA-185; 02-26-1999)*

See 9 FAM 42.71 Notes.

### **9 FAM 42.67 N4 OATH AND SIGNATURE**

*(TL:VISA-539; 05-19-2003)*

Upon completing the Form DS-230, the applicant shall read the completed form, or, if the applicant is unable to read, shall be informed of the contents therein. The alien shall be asked to subscribe to the information therein. If the alien is unwilling to subscribe to the information unless changes are made, the required changes shall be made. The application shall be subscribed to or affirmed and signed by or on behalf of the applicant before a consular officer. If the applicant is illiterate, or is otherwise unable to sign the application, the consular officer may witness the applicant placing his or her mark in the space provided for signature on Form DS-230.

## **9 FAM 42.67 N5 FAILURE OF APPLICATION TO COMPLY WITH INA**

*(TL:VISA-185; 02-26-1999)*

See 9 FAM 40.201 Related Statutory Provisions.

## **9 FAM 42.67 N6 FINGERPRINTING**

### **9 FAM 42.67 N6.1 Fingerprint Requirement**

*(CT:VISA-722; 03-10-2005)*

- a. The statutory requirements for general fingerprinting in connection with the issuance of a visa have been repealed. However, an applicant must be fingerprinted if:
  - (1) A check of the FBI's NCIC-III database reveals a namecheck hit as the FBI will only provide a summary of the applicant's record after a fingerprint comparison; or
  - (2) The consular officer determines that the applicant should be fingerprinted for reasons of identification or investigation.
- b. In countries where there is no Department of Defense (DOD) or *Department of Homeland Security (DHS)* presence, consular officers should provide fingerprint services for residents in their district applying for expeditious naturalization or adoption. *(See 9 FAM Appendix N 101 A.)*
- c. The post shall use Form FD-258, Applicant Fingerprint Card (with self-addressed envelopes).

### **9 FAM 42.67 N6.2 Proper Fingerprinting**

*(CT:VISA-722; 03-10-2005)*

The consular officer in charge of visa operations at each post shall instruct personnel taking fingerprints to follow closely the instructions on the reverse of the fingerprint chart and to familiarize themselves thoroughly with the correct fingerprinting techniques described by the FBI. (See 9 FAM 42.67 Exhibit I - FBI *Website*, "*Taking Legible Fingerprints*".) The consular officer shall also personally check the fingerprint cards from time to time to ensure that such techniques are applied. If fingerprints are defective, the consular

officer must reject them and require that the prints be retaken. This is costly and time-consuming for the post as well as inconvenient for the alien.

## **9 FAM 42.67 N6.3 Fingerprinting Fees**

*(CT:VISA-722; 03-10-2005)*

Posts shall collect a fee for the taking of fingerprints. The current fee for fingerprinting can be found at *22 CFR 22.1*.